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PTO/SB/01(12/97)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration submitted with Initial Filing

Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16 (e) required)

Attorney Docket Number	PC10583ADAM
First Named Inventor	Barbara A. Foster
<b>COMPLETE IF KNOWN</b>	
Application Number	09/843,462
Filing Date	04/25/2001
Group Art Unit	1641
Examiner Name	Lisa V. Cook

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ASSAY METHODS FOR CYCLIN DEPENDENT KINASES

*(Title of the Invention)*

the specification of which  
 is attached hereto

OR  
 was filed on (MM/DD/YYYY) 04/25/2001 as United States Application Number or PCT International

Application Number 09/843,462 and was amended on (MM/DD/YYYY)   (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B sheet attached hereto.
60/205,932	04/28/2000	<input type="checkbox"/>

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Please type a plus sign (+) inside this box → +**DECLARATION ---- Utility or Design Patent Application**

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 U.S.C. 1.56, which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application Number or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:  Customer Number or 28523

*Place Customer Number Bar Code Label here*

Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number

Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to:  Customer Number or Bar Code Label 28523 OR  Correspondence address below

Name					
Address					
Address					
City	State	Zip Code			
Country	Telephone	Fax			

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:  A petition has been filed for this unsigned inventor

Given Name (first and middle [if any]) Family Name or Surname

Barbara A. Foster

Inventor's Signature	<i>Barbara A. Foster</i>					Date <span style="border: 1px solid black; padding: 2px; display: inline-block;">4/26/03</span>	
Residence: City	Mystic	State	CT	Country	USA	Citizenship	United States
Post Office Address	31 Rossie Street						
Post Office Address	c/o Pfizer Inc. 235 East 42 <sup>nd</sup> Street						
City	New York	State	NY	Zip	10017	Country	USA

Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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## DECLARATION

ADDITIONAL INVENTOR(S)  
Supplemental Sheet

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])			Family Name or Surname					
Farzan			Rastinejad					
Inventor's Signature	<i>Firuz - Rastinejad</i>						Date 4/2/03	
Residence: City	Old Saybrook	State	CT	Country	USA	Citizenship	United States	
Post Office Address	17 Kitteridge Hill							
Post Office Address	c/o Pfizer Inc. 235 East 42 <sup>nd</sup> Street							
City	New York	State	NY	Zip	10017	Country	USA	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])			Family Name or Surname					
Inventor's Signature							Date	
Residence: City		State		Country		Citizenship		
Post Office Address								
Post Office Address								
City		State		Zip		Country		
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])			Family Name or Surname					
Inventor's Signature							Date	
Residence: City		State		Country		Citizenship		
Post Office Address								
Post Office Address								
City		State		Zip		Country		
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])			Family Name or Surname					
Inventor's Signature							Date	
Residence: City		State		Country		Citizenship		
Post Office Address								
Post Office Address								
City		State		Zip		Country	<i>RECEIVED</i>	

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this 5th day of May 2003.

By \_\_\_\_\_

(Signature of person mailing)  
Patricia Botelho

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **Barbara A. Foster, et al.** :

APPLICATION NO.: **09/843,462** : Examiner: **Cook, Lisa V**

FILING DATE: **04/25/2001** : Group Art Unit: **1641**

TITLE: **ASSAY METHODS FOR CYCLIN  
DEPENDENT KINASES** :

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

DECLARATION OF BARBARA A. FOSTER AND FARZAN RASTINEJAD  
UNDER 37 CFR §1.131

The undersigned Barbara A. Foster and Farzan Rastinejad declare and state that:

1. We are co-inventors of the invention described in U.S. Application Serial Number 09/843,462, filed April 25, 2001, which claims priority from U.S. Provisional Application Serial Number 60/205,932, filed April 28, 2000. There are no other inventors.

2. We understand that claims 2-3, directed to the subject matter of the invention, have been rejected under 35 U.S.C. §103 as being obvious, in part, in view of Watanabe et al., Brain Research 842:342-50, 1999) (accepted for publication July 7, 1999).

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3. All of the facts and inventive concepts and experimental work described below occurred in Groton, CT, U.S.A. and were performed by ourselves.

4. We conceived and reduced to practice the subject matter of the invention, including claims 2-3, prior to July, 1999, and prior to the effective publication date of the Watanabe et al. reference.

5. Specifically, we conceived and reduced to practice an ELISA-based assay of CDK activity using a capture antibody (which specifically detects CDK phosphorylated-Rb, and which is defined in the specification) and an anti-Rb primary antibody.

6. We declare that all statements made herein are of our own knowledge and true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful and false statements and the like are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

5/5/2003  
Date

Barbara A. Foster  
Barbara A. Foster

5/5/2003  
Date

Farzan Rastinejad  
Farzan Rastinejad